



NATIONAL LABOR RELATIONS BOARD

WASHINGTON, D.C. 20570

FOR IMMEDIATE RELEASE
Wednesday, March 19, 1997

(R-2209)
202/273-1991

NLRB GENERAL COUNSEL ANNOUNCES \$4 MILLION SETTLEMENT WITH CATERAIR INTL. OF LOS ANGELES

National Labor Relations Board General Counsel Fred Feinstein announced today a settlement by the agency's Los Angeles Regional Office (Region 31) of litigation arising out of a 1991 strike by Los Angeles employees of Caterair International, which provides catering for commercial airlines. The settlement includes \$4.069 million in backpay, bonuses, and interest for 235 employees covered by a 1992 order of the National Labor Relations Board.

The National Labor Relations Board administers and enforces the National Labor Relations Act. It investigates and remedies unfair labor practices and conducts secret-ballot elections to determine whether employees desire union representation.

The litigation arose from charges filed in 1991 by Teamsters Local 572 against Caterair, which were then subject of a hearing in February 1992 before NLRB Administrative Law Judge Gerald A. Wacknov. His August 1992 decision found that Caterair had engaged in various violations of the Act, including circulating a petition among employees to decertify the union, relying on that petition to withdraw recognition from the union, and then refusing to bargain with the union regarding terms and conditions of employment for a successor collective-bargaining agreement. The judge found the 1991 strike was in protest of the unfair labor practices, and that Caterair had violated the Act by failing and refusing to reinstate unfair labor practice strikers to their former or substantially equivalent jobs.

The Board's December 15, 1992 decision affirmed the judge's findings and ordered Caterair to reinstate the unfair labor practice strikers, with backpay, and to bargain with the union. In April 1994, the U. S. Court of Appeals for the District of Columbia enforced the Board's order, with the exception of the affirmative bargaining obligation.

Following the court decision, the Los Angeles Regional Office conducted an investigation to determine monetary liability and initiated negotiations with the parties with respect to issues in dispute. The recent settlement averted further litigation to determine the exact amount of monetary liability. Caterair earlier offered reinstatement to affected individuals, and reached a successor collective-bargaining agreement with the union. The company has provided the regional office with backpay checks which were distributed to employees on March 12, 1997.

In announcing the settlement, General Counsel Feinstein stated:

"I am pleased that this matter was amicably resolved. The settlement provides tangible relief to 235 employees, and ranks among the Agency's larger backpay distributions. I want to commend Region 31, and the parties, for their diligent settlement efforts, and extend my particular appreciation to the staff members in Region 31 who devoted much time and energy to settlement negotiations and to the calculation of backpay."

Settlement negotiations were conducted by the following Region 31 staff members: Regional Attorney Byron B. Kohn, Field Examiner James M. Middleton, Trial Specialist Ann L. Weinman, and recently retired Trial Specialist Bernard Hopkins. Region 31 Field Examiner Lawrence E. Gross and Compliance Assistant Robin R. Dinardi assisted in the review of payroll and other records. Former Trial Specialist Salvadore Sanders, of the agency's Regional Office located in downtown Los Angeles (Region 21), litigated the underlying unfair labor practice case.

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